

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GARY ESHELBRENNER, TRIA )  
ESHELBRENNER, Mother and Next )  
Friend, and QADIR ESHELBRENNER, )  
a minor, by and through her mother and )  
next friend, )

Plaintiffs, )

v. )

MARCIN RAPACZ, Individually and as )  
agent of Road Runner Express, Inc., )  
and ROAD RUNNER EXPRESS, Inc., )

Defendants. )  
\_\_\_\_\_ )

8:05CV565

ORDER OF DISMISSAL

The matter before the court is the parties' joint stipulation to dismiss this case with prejudice, Filing No. 72. The court finds that this matter should be dismissed with prejudice.

IT IS THEREFORE ORDERED that, pursuant to Fed. R. Civ. P. 41(a)(1), the plaintiffs' cause of action against the defendants is hereby dismissed in its entirety, with prejudice, and with the parties to be responsible for their own costs and attorney fees.

DATED this 17<sup>th</sup> day of January, 2007.

BY THE COURT:

s/Joseph F. Bataillon  
Chief United States District Judge